

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,	}	NO. CR-12-2045-LRS
Plaintiff,		
v.		ORDER GRANTING UNOPPOSED MOTION TO CORRECT SENTENCE
CARL EUGENE GONDERMAN,		<u>USM ACTION REQUIRED</u>
Defendant.)	

For the reasons set forth therein, Defendant's "Unopposed Motion To Correct Sentence Under 28 U.S.C. §2255" (ECF No. 72) is **GRANTED**.

As Defendant is no longer considered an Armed Career Criminal pursuant to 18 U.S.C. §924(e), his current sentence is **VACATED**. Re-sentencing shall take place on **September 1, 2016 at 9:00 a.m. in Yakima**. Defendant shall be present at the re-sentencing. He will remain in custody pending re-sentencing. The United States Probation Office shall prepare an updated Pre-sentence Investigation Report (PSIR) and file the same no later than **August 18, 2016**. This report shall be served on counsel and the court. Any sentencing memoranda shall be served and filed no later than **August 25, 2016**.

IT IS SO ORDERED. The District Executive shall forward a copy of this order to counsel of record, to the U.S. Probation Office, and to the U.S. Marshal.

DATED this 8th of July, 2016.

s/Lonny R. Suko

LONNY R. SUKO
Senior United States District Judge

**ORDER GRANTING UNOPPOSED
MOTION TO CORRECT SENTENCE- 1**